

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARISOL LAUREANO, *ET AL.*, : 06 Civ. 7845 (SHS)

Plaintiffs, :

-against- :

ORDER

COMMISSIONER GLENN S. GOORD, *ET AL.*, :

Defendants. :

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SIDNEY H. STEIN, U.S. District Judge.

On August 31, 2007, Magistrate Judge Ronald L. Ellis issued a Report and Recommendation recommending that (1) defendants' motion to dismiss the claims in the First Amended Complaint against the individual defendants located at Downstate Correctional Facility be denied; (2) defendants' motion to dismiss the First Amended Complaint based on improper venue be denied; (3) defendants' motion to dismiss the claims of the eight individual plaintiffs be granted; and (4) defendants' motion to sever plaintiffs' claims be denied.

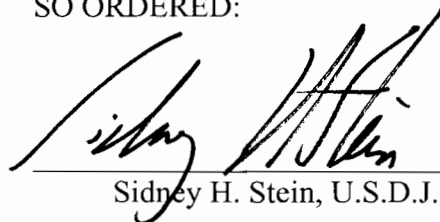
After a *de novo* review of the Report and Recommendation and defendants' objections dated September 21, 2007, the Court adopts the Report and Recommendation of Magistrate Judge Ellis. Accordingly, for the reasons set forth in the Report and Recommendation dated August 31, 2007,

IT IS HEREBY ORDERED that (1) defendants' motion to dismiss the claims in the First Amended Complaint against the individual defendants located at Downstate Correctional

Facility is denied; (2) defendants' motion to dismiss the First Amended Complaint based on improper venue is denied; (3) defendants' motion to dismiss the claims of the eight individual plaintiffs is granted; and (4) defendants' motion to sever plaintiffs' claims is denied. The denial of the request for severance of plaintiffs' claims is without prejudice to its renewal prior to trial.

Dated: New York, New York
September 28, 2007

SO ORDERED:



Sidney H. Stein, U.S.D.J.